

PATENT *fw*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 02-763-B (400/129))

In the Application of:

McSwiggen et al.

Serial No.: 10/667,271

Filing Date: September 16, 2003

For: RNA Interference Mediated Inhibition of
Hepatitis C Virus (HCV) Gene Expression
Using Short Interfering Nucleic Acid
(siNA)

Examiner: TBD

Group Art Unit: 1632

Confirmation No.: 8658

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

- ☒ Supplemental Information Disclosure Statement;
- ☒ Supplemental Information Disclosure Statement (IDS) PTO-1449 Form;
- ☒ Copies of IDS Citations for S/N 10/667,271 (Total 19 foreign patents and 12 other documents); and
- ☒ Return Receipt Postcard.

2. With respect to additional fees, no additional fee is required.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on February 14, 2006

By :

Anita J. Terpstra
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. This application is a continuation-in-part of US Serial No. 10/444,853 filed May 23, 2003 and is relied upon for an earlier filing date under 35 U.S.C. § 120. All references cited are also listed in the PTO-1449 form enclosed herewith.

The Office has amended the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. patent applications. See 69 Fed. Reg. 56481. In accordance with this amendment, cited U.S. patents and U.S. patent application publications are not enclosed.

As this Information Disclosure Statement is being submitted after receipt of a foreign search report, a copy of the search report is attached herewith.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief is in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: February 14, 2006

By: 

Anita J. Terpstra
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FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

02-763-B
(400/129)

Serial No.

10/667,271

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)

Applicant:

McSwiggen et al.

Filing Date:

September 16, 2003

Group:

1632

U.S. PATENT APPLICATION DOCUMENTS

Examiner Initial		Document Number	Filing Date	Name	Class	Subclass	Publication Date if Appropriate
	*	US 2003/0190635	07/25/02	McSwiggen et al.			10/09/03
	*	US 2003/0206887	09/16/02	Morrissey et al.			11/06/03

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	1.	1325955	07/09/03	EP (Klippel-Giese et al.)				
	2.	08208687	08/13/96	JP (Hotoda et al.)				
	3.	95/04142	02/09/95	WO (Robinson)				
	4.	99/29350	06.17.99	WO (Anderson et al.)				
	5.	00/21560	04/20/00	WO (Alitalo et al.)				
	6.	01/97850	12/27/01	WO (Siemeister et al.)				
	7.	02/07747	01/31/02	WO (King)				
	8.	02/10378	02/07/02	WO (Cowsert et al.)				
	9.	02/096927	12/05/02	WO (Escobedo et al.)				

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

FORM PTO-1449
(Rev. 2-32)

U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

02-763-B
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**SUPPLEMENTAL INFORMATION DISCLOSURE
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(Use several sheets if necessary)

Applicant:

McSwiggen et al.

Filing Date:

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10.	03/016572	02/27/03	WO (Zhao et al.)				
11.	03/068797	08/21/03	WO (Rossi et al.)				
12.	03/070750	08/24/03	WO (McSwiggen et al.)				
13.	03/070887	08/28/03	WO (McSwiggen et al.)				
14.	03/070896	08/28/03	WO (McSwiggen et al.)				
15.	03/070910	08/28/03	WO (McSwiggen et al.)				
16.	03/080638	10/02/03	WO (Lacasse et al.)				
17.	04/043977	05/27/04	WO (Prakush et al.)				
18.	04/072261	08/26/04	WO (Li et al.)				
31.	04/011647	02/05/04	WO (Han et al.)				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

19.	Anderson et al., "Bispecific Short Hairpin siRNA Constructs Targeted to CD4, CXCR4, and CCR5 Confer HIV-1 Resistance," <i>Oligonucleotides</i> , 13:303-312 (2003)
20.	Bayard et al., "Increased stability and antiviral activity of 2'-O-phosphoglycerol derivatives of (2'-5')oligo(adenylate)," <i>Eur. J. Biochem.</i> , 142(29):291-298 (1984)
21.	Hasan et al., "VEGF antagonists," <i>Oncologic, Metabolic & Endocrine</i> , 703-718 (2001)
22.	International Search Report for PCT/US03/05043 mailed January 16, 2004
23.	International Search Report for PCT/US2004/016390 mailed March 31, 2005
24.	International Search Report for PCT/US2004/027403 mailed July 12, 2005
25.	International Search Report for PCT/US2004/031012 mailed September 28, 2005
26.	Jen et al., "Suppression of gene Expression by Targeted Disruption of Messenger RNA: Available Options and Current Strategies," <i>Stem Cells</i> , 18:307-319 (2000)

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FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 02-763-B (400/129)	Serial No. 10/667,271
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		Applicant: McSwiggen et al.	
		Filing Date: September 16, 2003	Group: 1632

	27.	Kapadia et al., "Interference of hepatitis C virus RNA replication by short interfering RNAs," <i>PNAS</i> , 100(4):2014-2018 (2003)
	28.	Kuwabara et al., "A <i>C. elegans</i> patched gene, <i>ptc-1</i> , functions in germ-line cytokinesis," <i>Genes and Development</i> , 14(15):1933-1944 (2000)
	29.	McCaffrey et al., "RNA interference in adult mice," <i>Nature</i> , 148, 38-39 (2002)
	30.	Randall et al., "Clearance of replicating hepatitis C virus replicon RNAs in cell culture by small interfering RNAs," <i>PNAS</i> , 100, 235-240 (2003)

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